

August 8, 2013

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

ROBERT E. AUFULDISH, PRESIDENT
JUDY MORAN, COMMISSIONER
DANIEL P. TROY, COMMISSIONER
JENNIFER BELL, ASSISTANT CLERK

JASON W. BOYD, ADMINISTRATOR
LEGAL COUNSEL
JOEL DIMARE, BUDGET DIRECTOR
NEWS MEDIA

(Tape 2013-0808)

CALL TO ORDER: Commissioner Aufuldish called the meeting to order at 10:00 am, August 8, 2013. He requested a moment of silence for Mr. Paul LaPlante, Lake County Public Defender who passed away on Sunday, August 4, 2013.

ROLL CALL: Upon the roll being called all were present.

APPROVAL OF MINUTES: Upon a motion by Commissioner Troy, seconded by Commissioner Moran, the minutes of the meetings of July 2 and 30, 2013 were approved as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

OPEN TO THE PUBLIC: Commissioner Aufuldish asked if anyone in the audience wished to address the Board. No one present addressed the Board.

RESOLUTIONS:

1. **RESOLUTION AUTHORIZING ACCEPTANCE OF A COMBINED CONSTRUCTION AND MAINTENANCE SURETY IN THE AMOUNT OF \$314,541.70 FOR MOUNTAINSIDE FARMS PHASE 4 SUBDIVISION IN CONCORD TOWNSHIP (20130808E01) (SD-406)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

2. **RESOLUTION AWARDED A BID CONTRACT TO AERO-MARK, INC. FOR LAKE COUNTY ROADS PAVEMENT MARKINGS – 2013 AS REQUIRED BY THE LAKE COUNTY ENGINEER IN THE AMOUNT OF \$115,127.35 (20130808E02) (E-3)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

3. **RESOLUTION ESTABLISHING A FUND TO BE KNOWN AS VICTOR AND SYLVIA DRIVES WATERLINE REPLACEMENT 354-W WITH VARIOUS REVENUE AND APPROPRIATION LINES AND TRANSFERRING CASH (20130808U01) (UT-2)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

4. **RESOLUTION INCREASING APPROPRIATIONS FOR LCDU SEWER DISTRICT REFUNDS AND REIMBURSEMENTS (20130808U02) (UT-2)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

5. **RESOLUTION INCREASING APPROPRIATIONS FOR WHITE ROAD WATER TANK PAINTING 341-W PROFESSIONAL SERVICES-CONSULTANTS (20130808U03) (UT-2)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

6. **RESOLUTION REJECTING THE BID RECEIVED ON JULY 10, 2013 FOR RIDGE ROAD STATE ROUTE 84 WATERLINE REPLACEMENT PROJECT 276-W IN THE CITY OF WILLOUGHBY (20130808U04) (UT-8)**

Commissioner Aufuldish noticed that there was only one bid and he asked if the requirements would be changed or would this be going out to bid again?

Mr. Al Saari, Sanitary Sewer Engineer, replied that they will be going out to bid and they will be changing the engineer's estimate.

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

7. **RESOLUTION APPROVING FINAL ESTIMATE NO.4 IN THE AMOUNT OF \$430,078.05 WITH TERRACE CONSTRUCTION CO., INC. AND ACCEPTING A THREE-YEAR MAINTENANCE BOND IN THE AMOUNT OF \$200,576.68 FOR LOST NATION ROAD AND RT. 2 TRANSMISSION MAIN PROJECT NO. 321-W, FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20130808U05) (UT-4)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

8. **RESOLUTION APPROVING FINAL ESTIMATE NO.2 IN THE AMOUNT OF \$16,945.20 WITH LONGO SEWER CONSTRUCTION CO. AND ACCEPTING A THREE-YEAR MAINTENANCE BOND IN THE AMOUNT OF \$30,245.51 FOR CAMPERS DRIVE WATERLINE REPLACEMENT PROJECT NO. 322-W, FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20130808U06) (UT-4)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

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9. **RESOLUTION ACCEPTING A THREE-YEAR MAINTENANCE SURETY IN THE AMOUNT OF \$1,095.88 FOR MOUNTAINSIDE FARMS, PHASE 4 SANITARY SEWERS AND WATERLINES IN CONCORD TOWNSHIP (20130808\U07) (SD-405)**

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

10. **RESOLUTION AMENDING THE SANITARY SEWERAGE, SOLID WASTE, AND WATER SUPPLY RULES AND REGULATIONS OF THE LAKE COUNTY DEPARTMENT OF UTILITIES (20130808\U08) (UT-41)**

Commissioner Troy explained that this is a regular update. He stated that 10-12 years ago the rules were codified that were established by the Department of Utilities for the services they provide. There is an appeals board that was established and it has worked out well. This resolution is an update based on experience and new technologies. Mr. Rick Martin, Utility Department Executive Director, stated that most of these are changes that have come up through the appeals process when the customer did not understand what the Department was trying to convey, or input from various consultants who use the online version of the regulations.

Commissioner Aufuldish stated once the rules were codified the phones rang a little less because people understood the regulations. This has worked out very well.

On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

11. **RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20130808\U09) (UT-7)**

Commissioner Troy explained that this is an update

On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

12. **RESOLUTION APPOINTING KALI H. URWIN TO THE POSITION OF YOUTH LEADER I IN THE CHILDREN SERVICES DIVISION OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, EFFECTIVE AUGUST 12, 2013 (0130808\JFS01) (JFS-4)**

On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

13. **RESOLUTION APPROVING LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES VOUCHERS DATE OF WARRANT AUGUST 12, 2013, IN THE AMOUNT OF \$286,820.12 (20130808\JFS02) (JFS-14)**

On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

14. **RESOLUTION APPROVING THE FINAL DEDICATION PLAT FOR MOUNTAINSIDE FARMS SUBDIVISION PHASE 4 IN CONCORD TOWNSHIP (20130808\C01) (SD-406)**

On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

15. **RESOLUTION AUTHORIZING ADVERTISING FOR PROPOSALS FOR A 3D SCANNING AND DOCUMENTATION SYSTEM FOR THE LAKE COUNTY CRIME LABORATORY (OPENING: August 28, 2013) (20130808\C02) (CT-18)**

Commissioner Aufuldish stated that this will help us in our fight against crime.

Mr. Charles Coulson, Lake County Prosecutor, explained at crime scenes they will be able to take laser measurements with 360 degree photographs to make virtual crime scenes for the jury. It is a step forward in documenting crime scenes.

On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

16. **RESOLUTION FIXING THE DOG REGISTRATION FEES IN LAKE COUNTY, COMMENCING DECEMBER 1, 2013 (20130808\C03) (C-110)**

Commissioner Troy reported that there was a change in the State budget bill where options were given throughout the State, rather than a 1 year registration, it allowed for a three-year and permanent registration. The County is required by law to codify the registration fees. The County is still keeping the annual \$15 registration fee and setting in place the permanent license for a one-time fee of \$150 after December 1, 2013. It is ten times the normal registration fee as indicated by law. The three-year registration is \$45.00. There are no refunds. Licenses can be purchased through the Auditor's Office or the Dog Warden. This will have some impact on the annual revenue stream because people will be purchasing the longer-range licenses. We will work to be sure that we budget properly to make sure the dollars do what they are supposed to do even though they are coming in at different year receiving points. Commissioner Troy indicated that in packets was a map showing various dog license fees throughout the State. Lake County's annual fee has been \$15 for some time and when it was raised a portion was set aside to pay off debt service for the new dog shelter on Route 20, and we will continue to pay that portion until the debt is paid down.

On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

17. **RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$2,606,832.42 (20130808\BC01) (C-4)**

On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

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18. **RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$1,063,950.11 (20130808\BC02) (C-17)**

On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

19. **RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20130808\BC03) (C-111)**

On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

20. **RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20130808\BC04) (C-111)**

On a motion of Commissioner Aufuldish, seconded by Commissioner Moran, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

DEPARTMENTAL REPORTS:

UTILITIES-none

Commissioner Moran stated that some houses that suffered flood damage are foreclosed or vacant and owners of some of these properties have asked for water service to be turned on so that they can clean up after the flood. Commissioner Moran asked if there was some way that we can not charge them the sewer rates when it is on for a short time such as two weeks or 30 days?

Rick stated that Willoughby-Eastlake has their own system. He was not sure about this idea because he has never come across it, but he explained that the County does not charge by volume but with a flat fee and it ends up being cheaper for most people. When compared around the State of Ohio, Lake County is probably one of the cheapest. Aqua Ohio is the water provider in Mentor.

Commissioner Troy reiterated that this request is from owners of foreclosed properties who would like a break on a water bill. He stated that many foreclosed homes are owned by banks. Some owners who acquire these properties do so with the intent to and flip them so he would be reluctant to waive the fee. Commissioner Troy stated that the County cannot disconnect sewer service because it is always there. The fee waiver would be in areas where we sell water. The water has probably been shut off at the owner's request for most foreclosed or vacant properties and now we are getting requests to turn it back on to clean up the mess from the flood and he asked if this is something that we want to waive the fee on? Commissioner Troy stated that there are other owners who are not foreclosed who spent a little extra money through Utilities to clean up their basements and this may set a non-uniform policy standard. Mr. Martin stated that the County Utilities does not have authority over the Western communities as far as sewer but we do billing for them.

STORMWATER-none

JOB AND FAMILY SERVICES-none

COUNTY ADMINISTRATOR - Mr. Jason Boyd reported that he had two items to present. First, a request for quotes for the Lake County website redesign was released. He is working with the IT Department on this project and quotes are due back by October 6, 2013 for consideration. Second, three professional firms have been narrowed down to take into consideration the facilities analysis plan. The plan focuses on eleven structures the County owns from Perry to Willowick. It takes into account efficiency, number of employees and parking trends, which will be a future blueprint for capital planning. More information will be forthcoming in a few months.

DIRECTOR OF ADMINISTRATIVE SERVICES- none

FINANCE- none

CLERK- none

LEGAL- none

OLD BUSINESS:

NEW BUSINESS: Commissioner Troy recently attended a meeting with a small group of County Commissions and representatives from Ohio Association of Elections Officials in

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Columbus to discuss proposed legislation. S.B. 109 passed in the Senate and it is now in front of the House. This bill changes a lot of things related to elections. Under present law no matter what election is occurring the law requires that 4 poll workers are required to work and they must be partisan. One change is that in special elections two poll workers could be selected for each precinct and not by party. The idea is most of the dollars that counties spend on elections are for poll workers. If we can cut that back it would help. Another amendment is changing the date when the Board of Elections officials can be appointed. Currently it is in even numbered years and it will be changed to odd numbered years. There are changes in how long elections boards have to retain ballots. The bill would also mandate the certification of electronic poll books by the Secretary of State. If we want to have electronic poll books it would cost an estimated \$2,000 per precinct in Lake County, but some counties are using them. Some counties have combined precincts into one voting center so they can have many precincts voting at the same table. The bill also requires the Secretary of State to create a program, which places Boards of Elections under official oversight due to performance irregularities, he was told. He brought up the question that most impacts Lake County; the requirement to buy 54 new voting machines. The law is based on voter registration from the 2012 presidential year. The County needs to determine when to act. There are three different things that can happen. 1.) We can try to get this section repealed when the legislature goes back into session in September. They would have to act on this because it requires a law change. 2.) We may be able to increase the voting ratio per machine from 175 voters to 250 voters. For example, if there are 250 registered voters in a Presidential year and 200 of them vote. Out of the 200 that vote maybe 80 would vote absentee so it may be possible. 3.) Persuading the legislature to delay the effective date.

Commissioner Aufuldish asked about the Board of Election terms that expire next year and how would they get it to an odd number of years?

Commissioner Troy answered that the change will be staggered. New terms will begin March 1, 2014 for three-year terms instead of four-year terms in order to get it to the odd-year cycle. We are trying to make sense out of what we have to pay for and keep it under budget.

Mr. Boyd gave an update on the County-wide efforts related to the flood that occurred a few weeks ago. The landfill is back to their regular operation hours; 7-3:30 p.m. Monday through Friday and 9-1:00 p.m. on Saturday. The fees are still waived for flood-related damages. He stated that the County is still pursuing individual assistance and looking for 25 significantly damaged and/or destroyed homes throughout the County. As of yesterday we are in the mid-teens. Please contact Mr. Larry Greene with any information on damaged homes or businesses. The County is working with local officials on potential assistance with overtime, equipment and infrastructure assistance. The County is hosting a workshop at the Lake County EMA with OEA officials to work through the paper trail. Communities need to meet the threshold of one half of 1% of their total operating budget to qualify for overtime costs.

Commissioner Troy stated that Lake County is working with Congressman Joyce's office to secure funding for flood damaged communities. The County has to come up with 25 destroyed houses. When he attended the National Association of Counties he was aware of all sorts of FEMA activity, and a lot of it was because of fires out west. Lake County will continue to plead the case for help in our area. There is a half a dozen or so communities that can meet the one half of 1% figure. The Health Department is concerned with damage from the flood and they have put forth an extra effort with mosquito control, which is a legitimate cost. The County offered the assistance of the Auditor's Office and the Budget Director's office to fill out finance forms. There have been many discussions about flooding problems and as soon as the recovery effort is complete, we will have discussions about utilities in the surrounding communities and what is causing these flooding problems besides unprecedented rain in a short period of time. The question is what can we do with the latest technology to minimize the damage when it happens again?

Mr. Martin stated that he and Mr. Saari and Mr. Martin will be meeting this week to discuss this topic.

Commissioner Moran asked for an update on Hermitage Road.

Mr. Ted Galuschik explained that Hermitage Road is being repaired by the contractor as we speak and it should be done by next Friday.

Commissioner Troy asked when will construction be finished with SR 2?

Mr. Ted Galuschik stated that Phase 3 is from Route 306 roughly east, he is waiting for ODOT to come back to the County for a final walk through. He explained that sometimes the closures under Heisley are because of work on the bridge. The contractor could also be working on some extra berm work that was requested. The final walk through should be in August and he

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hopes construction will be finished next month.

PUBLIC COMMENT: Mr. John Muzik, Coventry Road in Painesville Township, stated that at the last meeting he asked about the number of people in Lake County who live in poverty. He stated that when he went on the Lake County's website to do some research he noticed that many of the numbers are outdated. Mr. Boyd mentioned that the County would be getting a new web design and he asked if the statistics and numbers would be updated?

Mr. Boyd stated that he would hope so but there are multiple elected officials control their own content, but the County will try to get the most up-to-date information posted. The safest thing to do is to link directly to the source of data. The goal is to make the County site more user-friendly to the residents and businesses and more up-to-date. The new home page will link to the eight most popular sites and it will be more task-oriented such as "Where do I pay my taxes?" because many people do not know what office does what.

Mr. Muzik thought that was a great idea.

Commissioner Troy stated that the website does need improvement. When Mr. Boyd was hired this was one of the things that was discussed; to update the website. However, we cannot control what the different elected officials post on their web pages. Someone will be managing the website.

EXECUTIVE SESSION:

- Real Estate - County Facilities
- Matters of Confidentiality Under State Statute
- Personnel - Employment

EXECUTIVE SESSION: On a motion of Commissioner Moran, seconded by Commissioner Troy, the Board convened an Executive Session at 10:45 am to discuss a real estate matter regarding county facilities, matters of confidentiality under State Statute and a personnel matter: employee issue, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

The Lake County Board of Commissioners recessed Executive Session at 10:55 am.

The Lake County Board of Commissioners reconvened Executive Session at 11:02 am.

On a motion of Commissioner Moran seconded by Commissioner Troy, the Board terminated the Executive Session at 11:50 am, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

ADJOURN: On a motion of Commissioner Moran, seconded by Commissioner Troy, the Board adjourned the meeting at 11:52 am, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

Minutes approved this twenty-second day of August, 2013.

BOARD OF LAKE COUNTY COMMISSIONERS

ROBERT E. AUFULDISH, PRESIDENT

J U D Y M O R A N ,
COMMISSIONER

August 8, 2013

DANIEL P. TROY, COMMISSIONER

AMY ELSZASZ, CLERK